

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR RASHAD POUNCY,

Petitioner,

Case No. 13-cv-14695
Hon. Matthew F. Leitman

v.

CARMEN D. PALMER,

Respondent.

**ORDER (1) GRANTING MOTION FOR IMMEDIATE CONSIDERATION
(ECF #134) AND (2) GRANTING IN PART MOTION TO APPOINT
COUNSEL (ECF #133)**

On April 13, 2017, Petitioner Omar Rashad Pouncy (“Pouncy”) filed two motions in this action: (1) a motion requesting that the Court appoint attorney John J. Bursch (“Bursch”) to represent Pouncy in the United States Supreme Court (the “Motion to Appoint Counsel”) (*see* ECF #133) and (2) a motion asking the Court to immediately consider the merits of the Motion to Appoint Counsel (the “Motion for Immediate Consideration”) (*see* ECF #134). The Court **GRANTS** the Motion for Immediate Consideration (ECF #134) and **GRANTS IN PART** the Motion to Appoint Counsel (ECF #133) as follows.

The Court appoints Bursch as counsel for Pouncy for the limited purpose of preparing and filing a petition for a writ of certiorari in the United States Supreme Court on Pouncy’s behalf. If the Supreme Court grants such a writ, Bursch shall

apply to the Supreme Court to continue his appointment as Pouncy's appellate counsel.

The Court concludes that appointing Bursch to represent Pouncy in this limited capacity is appropriate given Pouncy's long-term incarceration and resulting lack of financial resources. And while Pouncy is represented by retained counsel in this Court, that counsel has represented to the Court that he has not been paid for much of his work due to Pouncy's indigence.

IT IS SO ORDERED.

Dated: April 19, 2017

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 19, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113